

**United States District Court  
for the  
Northern District of New York**

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Francis Klocek

Case Number: 5:01-CR-492-03

Name of Sentencing Judicial Officer: Honorable Frederick J. Scullin, Jr., Senior U.S. District Judge

Date of Original Sentence: 4/25/02

Original Offense: Possession of Counterfeit Currency With Intent to Defraud, 18 U.S.C. § 472

Original Sentence: Four years probation (extended by one year on 2/8/06)

Type of Supervision: Probation Date Supervision Commenced: 4/25/02

Asst. U.S. Attorney: Edward Broton Defense Attorney: Lisa Peebles

**PETITIONING THE COURT**

- [ ] To issue a warrant  
 [X] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

1. General Condition: You shall not commit another federal, state or local crime. On November 26, 2005, Klocek was arrested by the Liverpool Village Police Department and charged with Driving While Intoxicated. The police report indicates the defendant had a blood alcohol content level of .20%. The charges are pending in Liverpool Village Court. This information is based on a police report. (Grade C violation)
2. Special Condition #1: You shall submit to testing for drug use. On May 10, 2006, Klocek failed to report to the U.S. Probation Office for urinalysis. The offender reports he forgot to report. This information is based on records of the U.S. Probation Office and verbal admission made by the offender. (Grade C violation)
3. Modified Condition dated February 8, 2006: You shall serve four months in a Community Correction Center and shall observe the rules of that facility. Klocek entered the Syracuse Pavilion on April 7, 2006 and was discharged unsuccessfully from the facility on July 17, 2006 for failing to abide by the rules. This information is based on reports from the Syracuse Pavilion, conversations with the offender and the personal knowledge of the probation officer. (Grade C violation)

**\*On May 19, 2006, charged with Violating a condition of the community program and Insolence towards a staff member.** On this date, at 12:03, the offender went into an area of the Syracuse Pavilion that he did not have permission to be and engaged in a conversation with a staff member during which Klocek became angry and used obscenities towards the staff member.

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**\*On May 19, 2006, charged with Destroying, altering or damaging government property.** On this date, at 15:15, a staff member was doing a visual inspection of the men's dormitory and noticed a hole in the wall. At approximately 18:00 on this date, Klocek admitted that he punched a hole in the wall, using both fists.

**\*On June 16, 2006, charged with Violating a condition of the program by being unaccountable for three hours and thirty one minutes.** On this date, at 15:50, CCC staff members did a random site check at CNY Works (a temporary employment agency). After checking the facility, it was confirmed that Klocek was not in the building, but his truck was in the parking lot. At approximately 16:48, the offender was observed returning to the CNY Works parking area, being dropped off by another person.

**\*On June 16, 2006, charged with Possession of anything not authorized for retention or receipt by an inmate and Using any equipment or machinery which is not specifically authorized.** On this date, at approximately 17:37, the offender was being checked into the facility and a cell phone was found on his person.

**\*On June 16, 2006, charged with Interfering with a staff member in the performance of duties, Insolence towards a staff member, Being in an unauthorized area, Possession of anything not authorized for retention and Conduct which disrupts or interferes with the security or orderly running of the institution.** On this date, at approximately 21:47, CCC staff members conducted a search of the offender's vehicle. Klocek initially gave them permission to search, but then he left the facility and walked into the parking lot without permission, started yelling at the staff. Klocek was instructed to remove himself from the parking lot and go into the facility, which he did, but he then continued to shout accusations at staff members. In the offender's vehicle, staff members found another cell phone and several sexually explicit magazines (these items are prohibited by the CCC).

**\*On June 17, 2006, charged with Conduct which disrupts or interferes with the security or orderly running of the institution.** On this date the offender approached the monitor's station to talk with a staff member. Klocek told the monitor that he called his lawyer and the lawyer was "going to get you because you are telling my business." Klocek then started yelling and shaking the security door in an attempt to open the door.

**\*On June 24, 2006, charged with Making sexual proposals or threats to another and Insolence towards a staff member.** On this date, the offender said to a staff member that he heard she was running a dating service and he would like to get a phone number. On June 23, 2006, the offender made a similar statement to the same staff member, at which time he was given a verbal warning that his comments were disrespectful and unacceptable.

**\*On July 15, 2006, charged with Conduct disrupting or interfering with the security or orderly running of the institution and Refusing to obey an order by a staff member.** It is alleged that Klocek was woken at approximately 9:15 am to complete chores. When the offender failed to get out of bed, staff members attempted to wake him several other times between 9:15 am and 10 am. After the monitor entered the monitor station to begin writing the report, the offender disobeyed security rules and walked into an area he was not cleared to enter. This action caused security alarms to activate. Discharged from the Syracuse Pavilion as unsuccessful.

U.S. Probation Officer Recommendation:

The term of supervision should be:

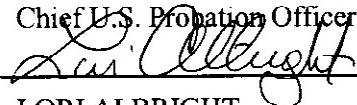
- Revoked  
 Extended for year(s), for a total term of years.

The conditions of supervision should be modified as follows:

Respectfully submitted,

by

PAUL W. DeFELICE  
Chief U.S. Probation Officer

  
LORI ALBRIGHT  
Supervising U.S. Probation Officer

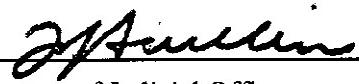
Date: July 25, 2006

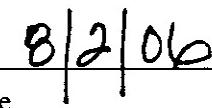
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THE COURT ORDERS

- No Action  
 The Issuance of a Warrant  
 The Issuance of a Summons  
 Other

  
Signature of Judicial Officer

  
Date